

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

LIVE BRANDS HOLDINGS, LLC,

Plaintiff,

-against-

GASTRONOMICO GRACIAS A DIOS,  
SOCIEDAD RESPONSABILIDAD  
LIMITADA DE CAPITAL VARIABLE, et al.,

Defendants.

20-CV-01213 (AS)

ORDER

ARUN SUBRAMANIAN, United States District Judge:

By **August 29, 2023**, Defendants are hereby ORDERED to file on ECF a letter-motion, not to exceed five (5) pages, seeking leave to file an out-of-time motion for summary judgment based on an election of remedies defense. In addition to addressing the substance of the proposed motion, Defendants should address why they did not file such a motion by the court-ordered summary judgment deadline. Plaintiff must file any response, not to exceed five (5) pages, no later than **September 5, 2023**. Plaintiff should identify the disputed, genuine issues of material fact that the defense raises.

Separately, no later than **September 5, 2023**, Plaintiff is ordered to supplement its Rule 26(a) disclosures to provide a calculation of the damages it is seeking in this case, if any.

SO ORDERED.

Dated: August 22, 2023  
New York, New York



ARUN SUBRAMANIAN  
United States District Judge